

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**RED BARN MOTORS, INC., PLATINUM
MOTORS, INC., and MATTINGLY AUTO
SALES, INC., individually and on behalf of
other members of the general public similarly
situated,**

Plaintiffs,

v.

Case No. 1:14-cv-01589-TWP-DLP

**NEXTGEAR CAPITAL, INC. f/k/a DEALER
SERVICES CORPORATION,**

Defendant.

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES,
EXPENSES, AND REPRESENTATIVE PLAINTIFFS' INCENTIVE AWARDS**

Upon consideration of Plaintiffs' Motion for Attorneys' Fees, Expenses, and representative Plaintiffs' Incentive Awards,

IT IS HEREBY ORDERED THAT:

1. If the Court grants final approval of the Settlement Agreement, an attorneys' fee award of \$2,250,000.00, representing one-third of the Common Fund, will be fair and reasonable in light of the riskiness of this case, the work performed by Class Counsel, and the prevailing rate for attorneys' fees in similarly complex class actions. If the Court grants final approval of the Settlement Agreement, Class Counsel shall therefore be entitled to an

award of \$2,250,000.00 from the Settlement Fund, to be paid to Class Counsel according to the terms of the Settlement Agreement.

2. If the Court grants final approval of the Settlement Agreement, Class Counsel shall be entitled to reimbursement for \$300,000.00 of litigation and settlement administration expenses. These expenses shall be reimbursed according to the terms and subject to the limitations set forth in the Settlement Agreement.

3. If the Court grants final approval of the Settlement Agreement, Plaintiffs Red Barn Motors, Inc., Platinum Motors, Inc., and Mattingly Auto Sales, Inc., shall each be entitled to a \$7,500.00 incentive award, to be paid according to the terms of the Settlement Agreement.

IT IS SO ORDERED.

Dated this _____ day of _____, 2021

United States District Judge

Distribution to all counsel of record via CM/ECF